

## Office Action Summary

Application No.  
09/151,617

Applicant(s)

Bezos et al

Examiner

Geoffrey Akers

Art Unit

2164



– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Apr 24, 2001

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle* 1035 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-55 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-55 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_

20)  Other: \_\_\_\_\_

Art Unit: 2164

## **DETAILED ACTION**

### ***Response to Amendment***

1. The text of those sections of Title 35 U.S. Code not included in this action can be found in a prior Office action(See Serial No: 09151,617). The text of those sections of Title 35, US Code not otherwise provided in a prior Office action will be included in this paper where appropriate.
2. This action is responsive to the amendment filed 4/24/01.
3. Claims 1,13,23,35,42 were amended by applicant. New claims 53-55 were added. No claims were deleted.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1,3-9,12-14,17,19-23,25-31,34-35,37-39,42-44,47-48,51-52 and 53-55 are rejected under 35 USC 103(a) as unpatentable over Montulli(US Pat. No: 5,826,242). The rejections stated in the First Office Action are maintained.
5. As per claim 1, Montulli teaches a computer-implemented method for ordering an item using a client system, the method comprising displaying information identifying the item at the client computer system(col 2 lines 24-32)(col 2 lines 57-59)(Fig 1/102)(Fig 6/140/142/144)(col 12 lines 3-9) and receiving from a user an indication of a recipient to whom the ordered item is to be delivered(col 13 lines 23-24) and displaying an indication of an action that is to be performed by the user to order the item(col 2 lines 61-64)(col 13 lines 7-13)(Fig

Art Unit: 2164

5/212/214/215/216/218/222/224/226) and in response to the indicated action being performed, sending to a server system an indication that the item is to be ordered(col 2 lines 64-67)(col 13 lines 15-17) and the indication of the recipient to whom the ordered item is to be delivered(col 13 lines 23-24) whereby when the server system does not have sufficient information for the indicated recipient to deliver the ordered item, the server system obtains additional information from one or more external information sources that is sufficient to deliver the ordered item to the indicated recipient(col 13 lines 22-24).

6. As per claim 3 Montulli teaches the method of claim 1 wherein the displaying of the information identifying the item and the displaying the indication of the action to be performed are performed before the receiving of the indication of the recipient from the user(col 6 lines 1516)(Fig 2/130).

7. As per claim 4 Montulli teaches the method of claim 1 wherein the client system and the server system communicate via the Intemet(col 6 lines 21-23)(Fig 2).

8. As per claim 5 Montulli teaches the method of claim 1 wherein sending includes sending an identifier of the client system(col 5 lines 40-59).

9. As per claim 6 Montulli teaches the method of claim 1 wherein the displaying is effected by displaying an HTML document provided by the server system(col 6 lines 9-15).

10. As per claim 7 Montulli teaches the method of claim 1 wherein the action is a single action(col 6 lines 1-2).

Art Unit: 2164

11. As per claim 8 Montulli teaches the method of claim 7 wherein the single action is clicking a mouse button when a cursor is positioned over a predefined area of the display(col 12 lines 33-34).
12. As per claim 9 Montulli teaches the method of claim 1 wherein the server system obtains the additional information by contacting the recipient directly(col 13 lines 22-24).
13. As per claim 12, Montulli teaches the method of claim 1 wherein the server system obtains the additional information by collecting information from one or more information sources selected from among an Internet-based telephone database, an Internet-based electronic mail database(col 12 lines 16-24)(col 12 lines 28-31)(Fig 5/212/214)(col 12 lines 47-49)(Fig 5/222)(col 13 lines 11-13), a local telephone database, a local electronic mail database, an Internet-based search engine(col 13 lines 15-30)(Fig. 5/240/230), and a database of information relating to the domain name registration of an electronic mail address of the recipient.
14. As per claim 13 Montulli teaches a computer-implemented method for ordering an item(Fig 5) the method comprising sending to a client system instructions to display information identifying the item(col 2 lines 24-32)(col 2 lines 57-59)(col 12 lines 3-9)(Fig 6/140/142/144) to input an indication of a recipient to whom the item is to be delivered(col 2 lines 61-62)(col 13 lines 23-24), and to send the indication of the recipient to the server system when an indicated single action is performed(col 13 lines 22-23) and after the indicated single action is performed, receiving the indication of the recipient from the client system(col 13 lines 26-29)(Fig. 5/240) and determining whether the server system does not have sufficient information for the indicated recipient to deliver the ordered item and when the server system does not have sufficient information,

Art Unit: 2164

obtaining additional information from one or more information sources that is sufficient to deliver the ordered item to the indicated recipient from one or more information sources that are external to the server system(col 13 lines 22-24).

15. As per claim 14 Montulli teaches the method of claim 13 wherein the server system obtains the additional information by contacting the recipient directly(col 13 lines 20-29)(Fig 5/240/230).

16. As per claim 17, Montulli teaches the method of claim 14 wherein the server system obtains the additional information by collecting information from one or more information sources selected from among an Internet-based telephone database, an Internetbased electronic mail database(col 12 lines 16-24)(col 12 lines 28-31)(Fig 5/212/214)(col 12 lines 47-49)(Fig 5/222)(col 13 lines 11-13), a local telephone database, a local electronic mail database, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

17. As per claim 19 Montulli teaches the method of claim 13 wherein the displaying of the information identifying the item and the displaying the indication of the action to be performed are performed before the receiving of the indication of the recipient from the user(col 6 lines 1516)(Fig 2/130).

18. As per claim 20 Montulli teaches the method of claim 13 wherein the client system and the server system communicate via the Internet(col 6 lines 21-23)(Fig. 2). 20. As per claim 21 Montulli teaches the method of claim 13 wherein receiving includes receiving an identifier of the client system(col 5 lines 40-59).

Art Unit: 2164

19. As per claim 22 Montulli teaches the method of claim 13 wherein the instructions are within an HTML document(col 6 lines 7-10).

20. A computer-implemented method for ordering an item using a client system, the method comprising displaying information identifying the item at the client computer system(col 2 lines 24-32)(col 2 lines 57-59)(Fig 1/102)(col 12 lines 1-10)(Fig 6/142) and receiving from a user an identifier of a group of one or more recipients to whom the ordered item is to be delivered(col 2 lines 61-62)(col 13 line 23), the identified group having an indication of each recipient in the group and displaying an indication of an action that is to be performed by the user to order the item(col 2 lines 61-64)(col 13 lines 7-13)(Fig 5/240) and in response to the indicated action being performed, sending to a server system an indication that the item is to be ordered(col 2 lines 64-67) and the indication of each recipient in the group to whom the ordered item is to be delivered(col 13 lines 22-23) whereby when the server system does not have sufficient information for an indicated recipient to deliver the ordered item, the server system obtains additional information from one or more external information sources that is sufficient to deliver the ordered item to the indicated recipient(col 13 lines 22-24).

21. As per claim 25 Montulli teaches the method of claim 23 wherein the displaying of the information identifying the item and the displaying the indication of the action to be performed are performed before the receiving of the identifier of the group from the user(col 6 lines 1516)(Fig 2/130).

Art Unit: 2164

22. As per claim 26 Montulli teaches the method of claim 23 wherein the client system and the server system communicate via the Internet(col 6 lines 21-23)(Fig. 2).

23. As per claim 27 Montulli teaches the method of claim 23 wherein sending includes sending an identifier of the client system(col 5 lines 40-59).

24. As per claim 28 Montulli teaches the method of claim 23 wherein the displaying is effected by displaying an HTML document provided by the server system(col 6 lines 9-15).

25. As per claim 29 Montulli teaches the method of claim 23 wherein the action is a single action(col 6 lines 1-2).

26. As per claim 30 Montulli teaches the method of claim 29 wherein the single action is clicking a mouse button when a cursor is positioned over a predefined area of the display(col 12 lines 3338).

27. As per claim 31 Montulli teaches the method of claim 29 wherein the server system obtains the additional information by contacting a recipient directly(col 13 lines 22-24).

28. As per claim 34 Montulli teaches the method of claim 1 wherein the server system obtains the additional information by collecting information from one or more information sources selected from among an Internet-based telephone database, an Internetbased electronic mail database(col 13 lines 20-25), a local telephone database, a local electronic mail database, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

Art Unit: 2164

29. As per claim 35 Montulli teaches a method in a computer system for coordinating the delivery a gift given by a gift giver to a recipient, the method comprising receiving an order from the gift giver(col 13 lines 15-17), the order identifying a gift to be delivered to the recipient(col 2 lines 64-67) and having contact information describing the recipient(col 13 lines 22-24) storing the received order in an order database and sending a communication to the recipient based on the contact information, the communication requesting delivery information for the gift(col 13 lines 22-24), when the recipient does not respond to the communications, collecting additional delivery information for the gift based on the contact information(col 13 lines 20-25) when potential delivery information for the gift has been identified, verifying whether the potential delivery information is valid(col 13 line 27) and when the delivery location has been verified as being valid(col 13 lines 28-30), sending the gift in accordance with the delivery information(Fig 5/240) and notifying the gift giver that the gift has been sent to the recipient. Montulli fails to teach that the received order is placed in an order database along with an order tracking number. It would have been obvious to one skilled in the art at the time of the invention to incorporate a tracking number to locate the order. The purpose of this is to avoid loss of the order so as to complete the transaction.

30. As per claim 37 Montulli teaches the method of claim 35 wherein the order is received via access through a Web page(col 13 lines 15-17).

31. As per claim 38 Montulli teaches the method of claim 35 wherein the delivery information is an address and where the verifying includes checking a database of valid addresses to determine

Art Unit: 2164

whether the address can be determined to be valid address(col 13 lines 20-25) and when the address can be determined to be a valid address, indicating that the delivery information has been verified(col 13 lines 28-30) and when the address cannot be determined to be a valid address, prompting a person to indicate whether the address is valid(col 13 lines 26-28) and when the person indicates that the address is valid, indicating that the delivery information has been verified(col 13 lines 28-30).

32. As per claim 39 Montulli teaches the method of claim 35 wherein the collecting of additional delivery information includes collecting information from one or more information sources that include an Internet-based telephone database, an Internet-based electronic mail database(col 12 lines 16-24)(col 12 lines 28-31)(Fig 5/212/214)(col 12 lines 47-49)(Fig 5/222), a local telephone database, a local electronic mail database, a database of previous recipients and gift givers, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

33. As per claim 42 Montulli teaches a method in a computer system for coordinating delivery of a gift from a gift giver to a recipient, the gift and recipient being specified in a gift order(col 2 lines 24-32)(col 2 lines 57-59)(Fig 1/102), the method comprising determining whether the gift order includes sufficient information so that the gift can be delivered to the recipient(col 2 lines 64-67) and when sufficient information is not provided in the gift order, obtaining delivery information from one or more information sources(col 13 lines 20-25) and when sufficient delivery information can be obtained from the additional information sources so that the gift can

Art Unit: 2164

be delivered to the recipient, directing the gift to be sent to the recipient as indicated by the delivery information(col 13 lines 24-29)(Fig 5/240).

34. As per claim 43 Montulli teaches the method of claim 42 including receiving the gift order electronically(col 13 lines 15-21).

35. As per claim 44 Montulli teaches the method of claim 42 wherein when the gift order contains information such that the recipient can be contacted, obtaining the delivery information by contacting the recipient directly(col 13 lines 21-24).

36. As per claim 45 Montulli teaches the method of claim 44 wherein the recipient is contacted directly by sending an electronic mail(col 4 lines 38-52)(col 2 lines 38-41)(col 5 lines 24-36)(col 5 lines 62-67)(Fig 5/212/214).

37. As per claim 47 Montulli teaches the method of claim 42 wherein the obtaining of delivery information includes collecting information from one or more information sources selected from among an Internet-based telephone database, an Internet-based electronic mail database(col 12 lines 16-31)(Fig 5/212/214)(Fig 5/222), a local telephone database, a local electronic mail database, a database of previous recipients and gift givers, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient(col 4 lines 38-52)(col 2 lines 38-41)(col 5 lines 24-36)(Fig 5/212/214). 40. As per claim 48 Montulli teaches a computer-based gift delivery system for coordinating the delivery of a gift from a gift giver to a recipient, comprising an order entry component for providing a selection of available gifts(col 12 line 34-col 13 line 14) (Fig6/212/214/215/216/218/222/2245/226/228),

Art Unit: 2164

for receiving a selection of a gift, for receiving contact information describing the recipient(col 13 lines 22-24), and for storing the gift order; and a gift delivery component for retrieving the stored gift order(col 13 line 23), for determining whether the contact information includes sufficient delivery information to deliver the gift to the recipient, for when sufficient delivery information is not included, obtaining additional information about the recipient by attempting to contact the recipient and by searching various databases of information,(col 13 lines 20-25) and for directing the sending of the gift to the recipient when sufficient delivery information has been obtained(col 13 lines 24-29).

38. As per claim 51 Montulli teaches the gift delivery system of claim 48 wherein the order entry component receives payment electronically(col 13 line 22).

39. As per claim 52 Montulli teaches the gift delivery system of claim 48 wherein the order entry component is accessed via Web pages(col 13 lines 15-19).

40. (New) As per claim 53 Montulli teaches a method in a computer system for coordinating the delivery a gift given by a gift giver to a recipient, the method comprising: receiving an order from the gift giver, the order identifying a gift(col 2 lines 24-32)(col 2 lines 57-59)(Fig 1/102)(Fig 6/140/142/144)(col 12 lines 3-9) to be delivered to the recipient and having contact information relating to the recipient(col 13 lines 23-24) and storing the received order in an order database in association with an order tracking number; identifying an electronic mail address for the recipient using the contact information received from the gift giver; sending an electronic mail message to the recipient based on the contact information(col 12 lines 16-24)(col 12 lines 47-49)(Fig

Art Unit: 2164

5/222)(col 13 lines 11-13), the message requesting delivery information for the gift, the message including the order tracking number so that the recipient can include the order tracking number in a response to the message for identification of the stored order; when an electronic mail message that responds to the electronic mail message sent to the recipient is received from the recipient and the received message has sufficient delivery information(col 13 lines 20-29)(Fig 5/240/230), retrieving the order tracking number and the delivery information from the received electronic mail message; retrieving from the order database the order associated with the retrieved order tracking number(col 2 lines 64-67) and directing delivery of the gift of the retrieved order in accordance with the retrieved delivery information(col 13 lines 22-24) and sending an electronic mail message to the gift giver indicating that the gift is being delivered to the recipient and when an electronic mail message that responds to the electronic mail message sent to the recipient is received from the recipient but the received message does not have sufficient delivery information or when no electronic mail message is received, sending an electronic mail message to the gift giver(col 6 lines 21-23)(Fig 2) the message indicating that the gift cannot be delivered to the recipient and including the order tracking number so that the gift giver can include the order tracking number for identification of the stored order in a response to the message that provides additional contact information(col 13 lines 22-30).

41. (New) As per claim 54 Montulli teaches the method of claim 53 wherein the identifying of an electronic mail address includes accessing one or more web sites for locating the electronic mail address of the recipient(col 13 lines 20-25)(Fig 5/230).

Art Unit: 2164

42. (New) As per claim 55 Montulli teaches the method of claim 53 including upon receiving the additional contact information, sending an electronic mail message to the recipient based on the additional contact information the message requesting delivery information for the gift (col 13 lines 15-17) the message including the order tracking number so that the recipient can include the order tracking number in a response to the message for identification of the stored order (col 2 lines 61-64) (col 13 lines 7-13) (Fig 5/240) (col 13 lines 22-24).

***Claim Rejections - 35 USC § 103***

43. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,10,11,15,16,18,24,32,33,36,40,41,45,46,49,50 are rejected under 35 USC 103(a) as unpatentable over Montulli (US Pat. No: 5,826,242).

44. As per claim 2 Montulli teaches the method of claim 1 wherein the indication of the recipient is a URL (col 4 lines 38-52) (col 2 lines 38-41) (col 5 lines 24-36) (col 5 lines 40-49) (col 5 lines 62-67) (Fig 5/212/214). Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system. The motivation for this is to enable communication with a user at an e-mail address.

Art Unit: 2164

45. As per claim 10 Montulli teaches the method of claim 9 wherein the recipient is contacted directly via a network(Fig 5/214/218/224)(col 2 lines 38-41)(col 2 lines 57-67)(col 6 lines 114).Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system.The motivation for this is to enable communication with a user at an e-mail address.

46. As per claim 11 Montulli teaches the method of claim 9 wherein the recipient is contacted directly via Internet communications over a network(col 4 lines 38-52)(col 5 lines 40-49)(col 2 lines 38-41)(Fig 5/212/214). Montulli fails to teach that the recipient is contacted via a voice telephone call. It would have been obvious to one skilled in the art at the time of the invention to incorporate telephone contact as a means of reaching the recipient. The motivation for this is to obtain real time confirmation of the transaction.Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It also would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system.The motivation for this is to enable communication with a user at an e-mail address.

47. As per claim 15 Montulli teaches the method of claim 14 wherein the recipient is contacted directly via a URL address and a network.(col 4 lines 38-52)(col 2 lines 38-41)(col 5 lines 2436)(col 5 lines 62-67)(Fig 5/212/214).Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious

Art Unit: 2164

to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system. The motivation for this is to enable communication with a user at an e-mail address.

48. As per claim 16 Montulli teaches the method of claim 14 wherein the recipient is contacted directly via electronic mail(col 4 lines 38-52)(col 5 lines 40-49)(col 2 lines 38-41)(Fig 5/212/214).

Montulli fails to teach that the recipient is contacted via a voice telephone call. It would have been obvious to one skilled in the art at the time of the invention to incorporate telephone contact as a means of reaching the recipient. The motivation for this is to obtain real time confirmation of the transaction

49. As per claim 18, Montulli teaches the method of claim 13 wherein the indication of the recipient is a URL address(col 4 lines 38-52)(col 21ines 38-41)(col 5 lines 24-36)(col 5 lines 4049)(col 5 lines 62-67)(Fig 5/212/214). Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system. The motivation for this is to enable communication with a user at an e-mail address.

50. As per claim 24 Montulli teaches the method of claim 23 wherein the indication of a recipient is an electronic mail address(col 4 lines 38-52)(col 2 lines 38-41)(col 5 lines 24-36)(col 5 lines 40-49)(col 5 lines 62-67)(Fig 5/212/214). Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system. The motivation for this is to enable communication with a user at an e-mail address.

Art Unit: 2164

51. As per claim 32 Montulli teaches the method of claim 31 wherein the recipient is contacted directly via a network and a URL address(col 4 lines 38-52)(Fig 5/212/214/218/224)(col 2 lines 38-41)(col 2 lines 57-67)(col 6 lines 1-14)(col 5 lines 62-67).Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system.The motivation for this is to enable communication with a user at an e-mail address.

52. As per claim 33 Montulli teaches the method of claim 31 wherein the recipient is contacted directly via e-mail(col 4 lines 38-52)(col 5 lines 40-49)(col 2 lines 38-41)(Fig 5/212/214). Montulli fails to teach that the recipient is contacted via a voice telephone call. It would have been obvious to one skilled in the art at the time of the invention to incorporate telephone contact as a means of reaching the recipient. The motivation for this is to obtain real time confirmation of the transaction.

53. As per claim 36 Montulli teaches the method of claim 35 wherein the sending of a communications includes electronic communications in the Internet(col 2 lines 57-67)(col 6 lines 1-14)(col 5 lines 40-49)(Fig 5/212/214)(col 4 lines 38-52)(col 2 lines 38-41).Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system.The motivation for this is to enable communication with a user at an e-mail address.

Art Unit: 2164

54. As per claim 40 Montulli teaches the method of claim 35 wherein the communications is an e-mail to the recipient. Montulli fails to teach that a telephone call is placed to the recipient. It would have been obvious to one skilled in the art at the time of the invention to incorporate telephone contact as means of reaching the recipient. The motivation for this is real time confirmation of the transaction.

55. As per claim 41 Montulli teaches the method of claim 35 addressing when the gift is delivered to the recipient (col 13 lines 22-24). Montulli fails to teach including when the gift cannot be delivered to the recipient, notifying the gift giver that the gift cannot be delivered. It would have been obvious to one skilled in the art at the time of the invention to incorporate also notifying the gift giver when the gift cannot be delivered as well as when it can. The motivation for this is to complete the transaction information for all possibilities.

56. As per claim 45 Montulli teaches the method of claim 44 wherein the recipient is contacted directly by Internet communications to a URL address (col 4 lines 38-52)(col 2 lines 38-41)(col 5 lines 24-36)(col 5 lines 62-67)(Fig 5/212/214). Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system. The motivation for this is to enable communication with a user at an e-mail address.

57. As per claim 46 Montulli teaches the method of claim 44 wherein the recipient is contacted directly by e-mail (col 4 lines 38-52)(col 2 lines 38-41)(col 5 lines 24-36)(col 5 lines 40-49)(col 5

Art Unit: 2164

lines 62-67)((Fig 5/212/214). Montulli fails to teach that the recipient is contacted by a voice telephone call. It would have been obvious to one skilled in the art at the time of the invention to incorporate telephone contact as a means of reaching the recipient. The motivation for this is to obtain real time confirmation of the transaction

58. As per claim 49 Montulli teaches the gift delivery system of claim 48 wherein the order entry component includes billing information and recipient address for delivery(col 13 lines 21-23). Montulli fails to teach that the order entry component assigns an order tracking identification label to each gift order and wherein the gift delivery component includes the order tracking identification when attempting to contact the recipient. It would have been obvious to one skilled in the art at the time of the invention to incorporate an order tracking information element. The motivation for this is to avoid loss of the order in the completion of the transaction.

59. As per claim 50 Montulli teaches the gift delivery system of claim 48 wherein the gift delivery component searches various Internet-based databases using the recipient name or URL address(col 4 lines 38-52)(col 2 lines 38-41)(col 5 lines 24-36)(col 5 lines 40-49)(Fig 5/212/214). Montulli fails to teach the utilization of e-mail addresses. Montulli teaches browser-based electronic network communications. It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a windows-based mail system. The motivation for this is to enable communication with a user at an e-mail address.

Art Unit: 2164

*Response to Arguments*

60. Applicant's arguments filed 4/21/01 have been fully considered but they are not persuasive. Applicant's argument is not persuasive as shipping information is routinely retrieved from databases for order information as listed by customer's name, location, prior items ordered, etc. The concept of combining techniques as detailed in the reference citations noted with other databases to obtain complete order or shipping information is established. Applicant's invention lacks novelty.

*Conclusion*

61. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2164

Questions regarding this communication should be addressed to the examiner, Dr. Geoffrey Akers, P.E. who can be reached at (703)-306-5844 between the hours of 6:30 AM and 5:00 PM Monday through Friday. If attempts to contact the examiner are unsuccessful, the examiner's supervisor, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

GRA

May 14, 2001



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

## PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231.

January 4, 1999

Date

*Maurice J. Pirio*

Maurice J. Pirio

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey P. Bezos, Maryam Mohit, James Prudente, Colleen McQueen, and Gene Pope

Application No. : 09/151,617

Filed : September 11, 1998

For : METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER VIA A COMMUNICATIONS NETWORK

Docket No. : 120087.402C1

Date : January 4, 1999

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

*amount for total claims  
Should be \$252.*

RESPONSE TO NOTICE TO FILE MISSING PAR

Sir:

In response to the Notice to File Missing Parts dated October 1, 1998, please find enclosed a Declaration and Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney and Form PTO-1533 for the above-identified application.

Please find enclosed a Petition for an Extension of Time, extending the time for response from December 1, 1998 to January 1, 1999 (Holiday).

Also enclosed is a General Authorization Under 37 C.F.R. § 1.136(a)(3).

The fees have been calculated as follows:

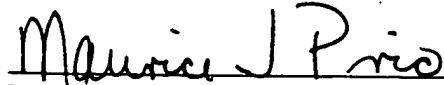
Basic Fee	\$	760
Total Claims (34, 14 extra)		222
Independent Claims (3, 0 extra)		0
Missing Parts Surcharge		110
Total	\$	1142
Extension-of-Time Fee		130
<b>TOTAL</b>	\$	<b>1252</b>

Enclosed is a check in the amount of \$1252 for the requisite fees. The Assistant Commissioner is hereby authorized to charge any additional filing fees or to credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this response is enclosed.

Respectfully submitted,

Jeffrey P. Bezos et al.

SEED and BERRY LLP



Maurice J. Pirio

Registration No. 33,273

MJP:rd

Enclosures:

Postcard

Check for \$1252

Petition for Extension of Time (+2 copies)

Copy of this Response

Declaration

Election and Power of Attorney with Copy of Assignment

General Authorization

Copy of Form PTO-1533

6300 Columbia Center  
701 Fifth Avenue  
Seattle, Washington 98104-7092  
(206) 622-4900  
Fax: (206) 682-6031

u:\float\rose\1112

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

January 4, 1999

Date

Maurice J. Pirio  
Maurice J. Pirio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey P. Bezos, Maryam Mohit, James Prudente, Colleen McQueen, and Gene Pope  
 Application No. : 09/151,617  
 Filed : September 11, 1998  
 For : METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER VIA A COMMUNICATIONS NETWORK

Docket No. : 120087.402C1  
 Date : January 4, 1999

Box Missing Parts  
 Assistant Commissioner for Patents  
 Washington, DC 20231

PETITION FOR AN EXTENSION OF TIME  
UNDER 37 C.F.R. § 1.136(a)

Sir:

Applicants herewith petition the Assistant Commissioner of Patents under 37 C.F.R. § 1.136(a) for a one-month extension of time for filing the response to the Examiner's Action dated October 1, 1998, from December 1, 1998 to January 1, 1999 (Holiday, followed by a Saturday & Sunday). Submitted herewith is a check in the amount of \$1,252, \$110 of which is to cover the cost of the extension.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 19-1090. This petition is being submitted in triplicate.

Respectfully submitted,  
 Jeffrey P. Bezos et al.  
 SEED and BERRY LLP

Maurice J. Pirio

Maurice J. Pirio  
 Registration No. 33,273

MJP:pep

Enclosures:

Postcard  
 Check  
 Two copies of this Petition

6300 Columbia Center  
 701 Fifth Avenue  
 Seattle, Washington 98104-7092  
 (206) 622-4900  
 Fax: (206) 682-6031

U:\float\pep\0111.doc

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey P. Bezos, Maryam Mohit, James Prudente, Colleen McQueen, and Gene Pope

Application No. : 09/151,617

Filed : September 11, 1998

For : METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER VIA A COMMUNICATIONS NETWORK

Docket No. : 120087.402C1

Date : January 4, 1999

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

GENERAL AUTHORIZATION UNDER 37 C.F.R. § 1.136(a)(3)

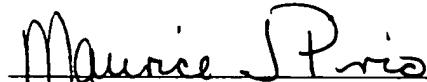
Sir:

With respect to the above-identified application, the Assistant Commissioner is authorized to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. § 1.136(a)(3) for its timely submission as incorporating a petition therefor for the appropriate length of time. The Assistant Commissioner is also authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-1090.

Respectfully submitted,

Jeffrey P. Bezos et al.

SEED and BERRY LLP

  
\_\_\_\_\_  
Maurice J. Pirio  
Registration No. 33,273

MJP:pep

SEED and BERRY LLP  
6300 Columbia Center  
701 Fifth Avenue  
Seattle, Washington 98104-7092  
(206) 622-4900  
FAX: (206) 682-6031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey P. Bezos, Maryam Mohit, James Prudente,  
Colleen McQueen, Gene Pope  
Application No. : 09/151,617  
Filed : September 11, 1998  
For : METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER  
VIA A COMMUNICATIONS NETWORK

Docket No. : 120087.402C1

Assistant Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints RICHARD W. SEED, Reg. No. 16,557; ROBERT J. BAYNHAM, Reg. No. 22,846; EDWARD W. BULCHIS, Reg. No. 26,847; GEORGE C. RONDEAU, JR., Reg. No. 28,893; DAVID H. DEITS, Reg. No. 28,066; WILLIAM O. FERRON, JR., Reg. No. 30,633; PAUL T. MEIKLEJOHN, Reg. No. 26,569; DAVID J. MAKI, Reg. No. 31,392; RICHARD G. SHARKEY, Reg. No. 32,629; DAVID V. CARLSON, Reg. No. 31,153; MAURICE J. PIRIO, Reg. No. 33,273; KARL R. HERMANNNS, Reg. No. 33,507; DAVID D. MCMASTERS, Reg. No. 33,963; MICHAEL J. DONOHUE, Reg. No. 35,859; CHRISTOPHER J. DALEY-WATSON, Reg. No. 34,807; STEVEN D. LAWRENZ, Reg. No. 37,376; ROBERT G. WOOLSTON, Reg. No. 37,263; ELLEN M. BIERMAN, Reg. No. 38,079; PAUL T. PARKER, Reg. No. 38,264; JOHN C. STEWART, Reg. No. 40,188; DAVID W. PARKER, Reg. No. 37,414; BRIAN G. BODINE, Reg. No. 40,520; FRANK ABRAMONTE, Reg. No. 38,066; E. RUSSELL TARLETON, Reg. No. 31,800;

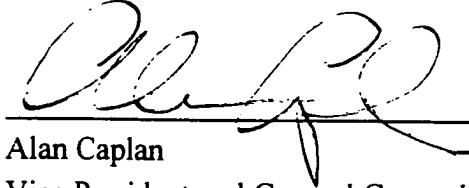
FREDERICK M. FLIEGEL, Reg. No. 36,138; JAN CAROL LITTLE, Reg. No. 41,181; THOMAS L. EWING, Reg. No. 34,328; CLIFTON G. GREEN, Reg. No. 41,044; KEVIN S. COSTANZA, Reg. No. 37,801; DALE C. BARR, Reg. No. 40,498; KEVIN S. ROSS, Reg. No. 42,116; PAUL F. RUSYN, Reg. No. 42,118; JOHN M. WECHKIN, Reg. No. 42,216; THOMAS E. LOOP, Reg. No. 42,810; STEPHEN J. ROSENMAN, Reg. No. 43,058; BRIAN L. JOHNSON, Reg. No. 40,033; JAMES D. WHITE, Registration No. P-43,985; KIMTON N. ENG, Registration No. P-43,605; SUSAN DENISE BETCHER, Registration No. P-43,498; and DENNIS DEGUZMAN, Registration No. 41,702, comprising the firm of SEED AND BERRY LLP, 6300 Columbia Center, Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Maurice J. Pirio at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

Maurice J. Pirio, Esq.  
Seed and Berry LLP  
6300 Columbia Tower  
701 Fifth Avenue  
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Amazon.Com, Inc. filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Amazon.Com, Inc.  
ASSIGNEE

  
\_\_\_\_\_  
Alan Caplan  
Vice President and General Counsel

December 8, 1998  
DATE

Enclosure:

Copy of Assignment

U:\float\sharons\0325

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

November 2, 1999  
Date

Maurice J. Pirio  
Maurice J. Pirio

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey P. Bezos et al.  
Application No. : 09/151,617  
Filed : September 11, 1998  
For : METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER  
VIA A COMMUNICATIONS NETWORK  
Art Unit : 2756  
Docket No. : 249768002US1  
Date : November 2, 1999

Assistant Commissioner for Patents  
Washington, DC 20231

PETITION TO ADD INVENTOR  
UNDER 37 C.F.R. § 1.48(c)(1)

Sir:

Petition is hereby made for addition of Sheldon J. Kaphan, of Seattle, Washington as inventor in the above-identified application. This Petition is necessitated by the filing of a Preliminary Amendment adding additional claims being filed concurrently herewith.

Submitted herewith is a check in the amount of \$688.00, \$130.00 of which is to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to Deposit Account No. 50-0665. This petition is being submitted in triplicate.

Respectfully submitted,  
Perkins Coie LLP

Maurice J. Pirio  
Maurice J. Pirio  
Registration No. 33,273

## Enclosures:

Postcard  
(2 Copies of this Petition)

1201 Third Avenue, Suite 4800  
Seattle, Washington 98101-3099  
(206) 583-8888  
Fax: (206) 583-8500

**Perkins Coie LLP**  
 1201 Third Avenue, Suite 4800  
 Seattle, Washington 98101-3099  
 Phone (206) 583-8888  
 Fax (206) 583-8500

Docket No.: 249768002US1  
 Date: November 2, 1999

In re application of: **Jeffrey P. Bezos et al.**

Application No.: **09/151,617**

Filed: **September 11, 1998**

For: **METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER VIA A  
COMMUNICATIONS NETWORK**

**ASSISTANT COMMISSIONER FOR PATENTS**  
**WASHINGTON DC 20231**

Sir:

Transmitted herewith is in the above-identified application.

Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under CFR 1.9 and 1.27 is enclosed.

A Petition for an Extension of Time for month is enclosed.

A General Authorization Under 37 C.F.R. § 1.136(a)(3) is enclosed.

No additional claim fee is required.

The fee has been calculated as shown.

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST PREV. PAID FOR	PRESENT EXTRA
<b>TOTAL</b>	<b>* 52</b>		<b>** 34</b>	<b>18</b>
IND.	<b>* 6</b>		<b>*** 3</b>	<b>3</b>
<input type="checkbox"/> FIRST PRESENTATION OF MULT. DEP. CLAIMS				
PETITION FEE TO ADD INVENTOR				
TOTAL ADDITIONAL FEE				

SMALL ENTITY		OTHER THAN A SMALL ENTITY	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
x 9	\$	x 18	\$324.00
x 39	\$	x 78	\$234.00
+130	\$	+260	\$
	\$		\$130.00
	\$		<b>\$688.00</b>
TOTAL			

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Please charge my Deposit Account No. 50-0665 in the amount of \$. A duplicate copy of this sheet is enclosed.

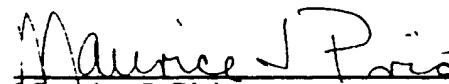
A check in the amount of \$688.00 is attached.

The Assistant Commissioner is hereby authorized to charge payment of the following additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0665. A duplicate copy of this sheet is enclosed.

Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,  
 PERKINS COIE LLP

  
 Maurice J. Pirio  
 Registration No. 33,273

## PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

November 2, 1999

Date

Maurice J. Piro

Maurice J. Piro

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey P. Bezos et al.  
Application No. : 09/151,617  
Filed : September 11, 1998  
For : METHOD AND SYSTEM FOR PLACING A  
PURCHASE ORDER VIA A COMMUNICATIONS  
NETWORK

Art Unit : 2756  
Docket No. : 249768002US1  
Date : November 2, 1999

Assistant Commissioner for Patents  
Washington, DC 20231

PRELIMINARY AMENDMENT

Sir:

Please amend the above-identified application as follows:

Please add Sheldon J. Kaphan, of Seattle, Washington, as inventor.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey P. Bezos et al.  
Application No. : 09/151,617  
Filed : September 11, 1998  
For : METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER VIA A COMMUNICATIONS NETWORK

Art Unit : 2756  
Docket No. : 249768002US1  
Date : November 2, 1999

Assistant Commissioner for Patents  
Washington, DC 20231

AUTHORIZATION FOR EXTENSIONS OF TIME UNDER 37 C.F.R. § 1.136(A)(3)

Sir:

With respect to the above-identified application, the Assistant Commissioner is authorized to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. § 1.136(a)(3) for its timely submission as incorporating a petition therefor for the appropriate length of time. The Assistant Commissioner is also authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0665.

Date November 2, 1999

Maurice J. Pirio  
Maurice J. Pirio  
Registration No. 33,273

MJP:jc

PERKINS COIE LLP  
1201 Third Avenue, Suite 4800  
Seattle, Washington 98101-3009  
(206) 583-8888  
FAX: (206) 583-8500